

## **REMARKS:**

Claims 24-30, 33, 35, 36, 41-45, 48-54, 56-63, 65-72, and 76-79 remain pending in this application.

### **Section 103 Rejections**

All pending claims stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Irons et al. (U.S. Patent Pub. No. 2002/0111960) in view of Vanko et al. (U.S. Patent 5,557,512) and in further view of Bennett (U.S. 5,615,367). Office Action at 3. Applicant respectfully traverses these rejections, and submits that the proposed combination fails to make a *prima facie* case of obviousness with respect to the pending claims. See MPEP § 2143.03.

Applicant respectfully submits that the proposed combination fails to teach or suggest, as recited in claim 24, “receiving a succession of electronic documents into a computer system, wherein each of the succession of electronic documents is received at a corresponding point in time,” and “for each of at least a subset of the received electronic documents,” “the computer system generating a corresponding unique time-based identifier identifying a date and time of day that the electronic document was received by the computer system” (emphasis added).

#### *Irons*

Irons claims to “provide a complete solution for indexing documents, imaging/scanning documents, storing documents, and retrieving documents.” See Irons at col. 6, lines 25-28. Irons states that

The digital filing process involves receiving a paper-based document, indexing the document at the user's workstation, affixing a globally unique document identifier to the document, imaging/scanning the document, extracting the globally unique document identifier from the label, and electronically storing the document using the document identifier contained in the label and the user supplied indexing information.

*Id.* at col. 6, lines 31-39. Accordingly, Irons teaches a process in which “attaching a pre-printed, globally unique document identifier to a paper-based document [is performed] prior to scanning.” See *id.* at col. 6, lines 42-44 (emphasis added). The Examiner admits, however, that Irons’s “globally unique document identifier” “fails to explicitly disclose . . . [a] unique time-based identifier identifying a date and time of day that [an] electronic document was received by

[a] computer system” as recited by claim 24. *See* Office Action at 4. The Examiner turns to Vanko to provide support for the rejection. *See id.*

*Vanko*

As will be seen, Vanko fails to remedy the defects of Irons. Vanko relates “to an apparatus and method employed on a production line for the automatic entry of data.” Vanko at col. 1, lines 10-14. Vanko notes that a “defect” may be “identified by its position in [a] workpiece and by a type of error.” *See id.* at col. 1, lines 49-50. “Defect data” are thus collected in Vanko’s system, and recorded “in an easily read [file] format.” *Id.* at col. 15, lines 27-30. Vanko teaches that a “data entry means 1” is “continuously connected to a computer 11,” which is itself “used to continuously display defect data in real-time.” *Id.* at col. 6, lines 59-62. In Vanko’s scheme, “at the end of a [production] shift, the OUTPUT button on the computer display 14 is activated with the mouse (or alternatively by the computer keyboard 55), and the data files are written.” *Id.* at col. 6, lines 62-65.

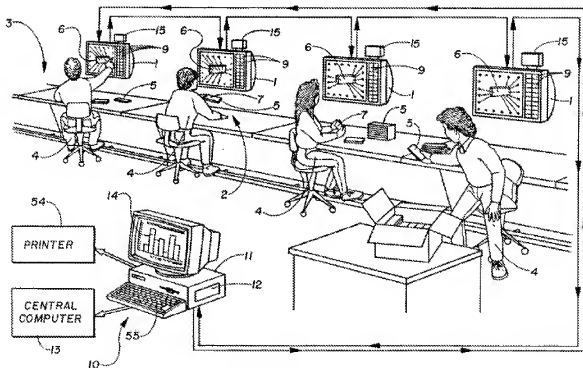


FIG. 1

*Vanko's Fig. 1 (showing production line and computer 11)*

Applicant notes that in rejecting claim 24, the Examiner cites to a portion of Vanko, *see* Office Action at 4-5, that teaches a particular file-naming scheme for Vanko's defect data files:

The first two characters of the filename are the last two digits of the year . . . . [and] the extension of the file name is the time. The first two characters [of the file extension] represent the hour in military time, like 15 for 3:00 pm and 06 for 6:00 am. The third and last character represents the tens of minutes past the hour, like 1 for the period 3:10 through 3:19.

Thus the file name, recorded on May the third, 1994, at 3:09 pm, would be 940503.150.

*See id.* at col. 15, line 56 to col. 16, line 5.

*The Proposed Combination of Irons and Vanko Fails to Teach or Suggest the Above-Mentioned Elements of Claim 24*

The Examiner appears to suggest that in the proposed combination of Irons and Vanko, Irons's "pre-printed, globally unique document identifier," *see* Irons at col. 6, lines 42-43, would be replaced with an identifier that was instead based on Vanko's file-naming scheme. *See* Office Action at 5. Applicant disagrees. Irons's "identifier" is applied to "a paper-based document." *See* Irons at col. 6, lines 42-43. In contrast, Vanko's file-naming scheme for production line data is merely applied to a file generated "at the end of a shift," for example. *See* Vanko at col. 6, lines 62-65. Even assuming a motivation to combine Irons and Vanko exists (which is not conceded; *see* below), a person having ordinary skill in the art would not have applied Vanko's file-naming scheme to the "unique document identifier" of Irons's system, *see* Irons at col. 6, lines 49-50. Applicant respectfully submits that an *electronic* "file name" "assign[ed] . . . at the moment [an] OUTPUT button was activated," *see* Vanko at col. 15, lines 57-59, for example, would not be viewed by a person having ordinary skill in the art as a teaching or suggestion suitable for use with Iron's "*pre-printed* labels, [in which] the nature of the globally unique, document identifier allows the labels to be attached to different types of documents without any predetermined relationship between the document, the document's content, and the pre-printed label," *see* Irons at col. 6, lines 49-53 (emphasis added). *See also* MPEP § 2143.01(VI) (noting "The proposed modification cannot change the principle of operation of a reference.") Applicant submits that even if Irons and Vanko were to be combined, the combination would not resemble what the Examiner alleges.

*No Motivation Exists to Combine Irons and Vanko in the Manner Suggested*

As indicated above, Irons is directed to a “digital filing system” that provides for “indexing, imaging, storing, retrieving, and managing paper-based documents.” *See* Irons Abstract. In contrast, Vanko teaches “an apparatus and method employed on a production line for the automatic entry of data.” *See* Vanko at col. 1, lines 10-13. While Irons notes that “the lack of an efficient, cost-effective, adaptable method for driving paper through the scan and index process continues to thwart the efforts of most organizations that try to adopt wide-reaching document imaging solutions,” Irons at col. 2, lines 43-47, Vanko instead recites that “in today’s manufacturing environment, monitoring a production process and collecting statistical information on the status of the production process is considered essential in achieving world class quality standards,” Vanko at col. 1, lines 17-20. Applicant respectfully submits that a person of ordinary skill in the art of “digital filing system[s],” Irons Abstract, would not look to Vanko as suggested by the Examiner, *see* Office Action at 5. Likewise, a person of ordinary skill in the art of “automatic entry of data” “on a production line,” Vanko at col. 1, lines 10-13, would not turn to Irons, e.g., for that reference’s ability to “stor[e], retriev[e], and manag[e] paper-based documents,” *see* Irons Abstract. The mere fact that Irons and Vanko both involve—at some level—storing computerized data is insufficient to provide the motivation needed to combine these references as suggested by the Examiner in the Office Action.

*Bennett Does Not Remedy the Defects of Irons and Vanko*

The remaining reference used by the Examiner to reject claim 24 (Bennett) fails to cure the above-noted defects of Irons and Vanko. Indeed, the Examiner does not cite Bennett for any teaching relating to “generating a corresponding unique time-based identifier identifying a date and time of day that the electronic document was received by the computer system” as recited by claim 24, and instead simply refers to Bennett for the proposition of “utiliz[ing] a relational database” in the proposed combination. *See id.* Applicant thus respectfully submits that Bennett does not teach or suggest any of the above-noted elements of claim 24.

For at least the reasons above, the Examiner has failed to demonstrate that the proposed combination of cited references teaches or suggests each and every element of claim 24. Applicant thus respectfully submits that the Examiner has failed to make a *prima facie* case of obviousness with respect to that claim, *see* MPEP § 2143.03, and respectfully requests

withdrawal of the § 103 rejections of claim 24 and its dependent claims. Further, while the other independent claims (41, 48, and 56) vary in scope from claim 24, Applicant requests withdrawal of the § 103 rejections of these independent claims and their respective dependent claims for at least similar reasons to those argued above with respect to claim 24.

*The Proposed Combination Fails to Teach or Suggest Additional Elements of Claims 27 and 60*

Claim 27 further recites “retrieving a given electronic document in the succession of electronic documents from the electronic storage using the corresponding unique time-based identifier for the given electronic document,” and “wherein the time of day is specified by at least an hour value, a minutes value, and a seconds value.” In Vanko, however, no such “seconds value” is taught or suggested, as Vanko’s file simply has a three-character extension in which the “first two characters [of the file extension] represent the hour in military time,” and “the third and last character represents the tens of minutes past the hour, like 1 for the period 3:10 through 3:19.” See Vanko at col. 15, line 56 to col. 16, line 5. Applicant notes that while Vanko does mention a “number of seconds,” this quantity is not part of the file name, but is simply part of the contents of the file. See *id.* at col. 27-56 and at Fig. 23. Applicant respectfully requests withdrawal of the § 103 rejection of claim 27 for at least the additional reasons above. Applicant further respectfully requests withdrawal of the § 103 rejection of claim 60 for at least similar reasons.

**CONCLUSION:**

Applicant respectfully submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extension of time (under 37 C.F.R. § 1.136) is necessary to prevent the above-referenced application from becoming abandoned, Applicant hereby petitions for such extension.

Although no fee is believed to be due as a result of this submission, the Commissioner is authorized to charge any fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account No. 501505/5957-72402/AAC.

Respectfully submitted,

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